

APR 21 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LEONEL MARIN-TORRES,

Plaintiff - Appellant

v.

STATE OF WASHINGTON; JOHN
DOES; KING COUNTY; KING
COUNTY SHERIFF'S DEPARTMENT,

Defendants - Appellees

No. 07-35541

D.C. No. CV-03-01001-RSL

MEMORANDUM^{*}

Appeal from the United States District Court
for the Western District of Washington
Honorable Robert S. Lasnik, U.S. District Judge, Presiding

Submitted April 15, 2008
San Francisco, CA

Before: FLETCHER, FISHER, PAEZ, Circuit Judges.

Appellee's motion for summary reversal of the district court's order
dismissing the action for failure to file an amended complaint is granted. *See*
United States v. Hooton, 693 F.2d 857 (9th Cir. 1982) (per curiam) (summary

^{*} This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

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disposition appropriate where result is clear from face of record). This matter is remanded to the district court with instructions to allow plaintiff/appellant a reasonable opportunity to file an amended complaint, to remove appellant's former counsel Gates from its service list for this matter, and to serve appellant directly with any orders on remand until and unless new counsel is appointed or files a notice of appearance for appellant. Appellant's request that we direct the district court to appoint counsel on remand is denied without prejudice to appellant making such a motion in the district court.

REVERSED and REMANDED.